

Appl. No. 10/700,909
Response to Restriction Requirement dated 11-02-2006
Attorney Docket No. CV06093US 01 (4686-050109)

matter of each of the Groups I and II since claims 25 and 26 include the same compounds as claim 1 and specify that the composition or combination be used for treatment of an autoimmune disorder in a subject. Also, each Group is stated to be in the same Class and Subclass in the restriction requirement. Therefore, reconsideration and withdrawal of the restriction requirement and election of species requirement is respectfully requested.

PROVISIONAL RESPONSE TO RESTRICTION AND ELECTION OF SPECIES REQUIREMENTS

To facilitate prosecution of the application and in order to comply with the Examiner's requirements, Applicants hereby provisionally elect with traverse the claims of Group I (claims 1-24) for initial examination in this application.

Applicants provisionally elect with traverse the compound of Formula II (ezetimibe) in response to the Examiner's election of species requirement of a sterol absorption inhibitor for initial examination in this application. Also, Applicants provisionally elect with traverse Multiple Sclerosis as the species of autoimmune disorder for initial examination in this application.

Elected claims readable thereon include claims 1-3 and 11-26.

Examination on the merits for the pending claims is respectfully requested.

Applicants also respectfully request that the Examiner initial and return the outstanding PTO/SB/08A forms indicating consideration of the Information Disclosure Statements of April 19, 2004, April 30, 2004 (EFS ID #s 60226, 60227, 60224, 60223, 60220, 60219), May 5, 2004, September 24, 2004, and January 18, 2005.

Respectfully submitted,

THE WEBB LAW FIRM

Date: November 28, 2006

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